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March 27, 2024

VIA ELECTRONIC FILING

Hon. Zahid N. Quraishi, U.S.D.J.

United State District Court of the District of New Jersey

Clarkson S. Fisher Building

402 East State Street

Trenton, NJ 08608

RE: Kim, et al. v. Hanlon, et al.
Civil Action No.: 24-1098 (ZNQ) (TJB)

Dear Judge Quraishi:

As promised in our letter of March 26, 2024, we submit an update on the line and slogan status of each of the three plaintiffs.

Sarah Schoengood

Ms. Schoengood timely filed her petitions. Consistent with what she expressed in the Verified Complaint, she has decided against bracketing with any candidates in the three counties covered by her congressional district (Monmouth, Burlington, Mercer). She has filed her own county slogans with the Secretary of State.

Carolyn Rush

Ms. Rush timely filed her petitions. In the five counties covered by her district that award a line (Salem uses office block ballots), she will be off the line in two counties (Atlantic and Ocean). Three counties in the district (Cape May, Cumberland, Gloucester) will be stacking all

candidates for the congressional race in a shared line with the respective county party slogan¹. The official paperwork² has been or is about to be completed in Cape May and Gloucester Counties. Although we do think it material to the Court's disposition of the case, we note that in Cumberland County, the Clerk there has not supplied adequate information to confirm this. Ms. Rush has requested her own slogan for the two counties (Atlantic and Ocean Counties) where only her opponent will be featured on the line.

Rep. Andy Kim

Of the 19 counties statewide whose ballots feature a county line, Congressman Kim has accepted the line in 17 of those counties and will use the slogan of the respective County Democratic Party. The necessary paperwork has been filed with the respective Clerk, with copies sent to the Secretary of State and a representative of the respective county party.

Of the remaining 2 counties, the status is the following:

As to Camden County, Rep. Kim will not be running on the line. If Rep. Kim sought bracketing and a shared slogan, he would be associating with the Camden County Democratic Committee and its candidates, who are adverse parties to him in this active litigation before Your Honor. Bracketing with a legal adversary would not be appropriate, and would be confusing to voters. He has selected "New Jersey Democratic Team" as his slogan for Camden County and submitted all necessary paperwork.

For Cumberland County, disarray in the county party is causing confusion. As of this writing, the Congressman's campaign has not had any communication on the status of the line and therefore filed all the necessary paperwork to run on his own slogan, "New Jersey Democratic Team."

Obviously, if the Court invalidates the county line ballot format, *as all Plaintiffs have requested and continue to request*, the foregoing will all be moot, because there will be no "lines" to request or award.

¹ Arrangements like these, it would create the kind of untenable ballot design that, like the one in Mercer County that was described in the Verified Complaint (DE1, ¶¶ 89-91), which gives the appearance that candidates running for the same office are associated with one another, and risks overvotes among mail voters due to voter confusion, which in turn results in voter disenfranchisement.

² That is, the bracketing request and consent letters required by N.J.S.A. 19:49-2 from the relevant candidates and their representatives.

Respectfully submitted,

/s/ Brett Pugach, Esq.
/s/ Flavio Komuves, Esq.
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/s/ Yael Bromberg, Esq.
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